REMARKS

Claims 1-22 are now pending in the application. Reconsideration as to the patentability of the claimed subject matter is respectfully requested in view of the following discussion.

35 U.S.C. § 103 Rejections

Claims 1-6, 8-10, 13-15, 17-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,563,517 to Bhagwat et al (*'Bhagwat'*) in view of U.S. Patent No. 7,123,291 to Horie (*'Horie'*). Applicant respectfully traverses this rejection.

Bhagwat does not teach and every element of the claims as the Examiner has acknowledged in this and previous Office Actions. Horie does not cure Bhagwat's deficiencies and is inoperable as applied to Bhagwat. Horie is suggested by the Examiner to teach "horizontally and vertically adjoining text references when combining images." Office Action, page 4. However, Horie performs no such task and exists in a wholly different area of art (and is similar to Katayama suggested by the Examiner in the previous Office Action).

Horie joins together a composite visual image from related but separate images. The Examiner has provided numerous cites within Horie, but none disclose the use of textual references as claimed. In fact, the concept of textual references does not exist within Horie. As plainly stated in Horie's disclosure,

> the invention for achieving the above objects provides an image processing device for producing an entire image of a subject by joining a plurality of divided images produced from divided portions defined in the subject and having partially overlapping portions, including a setting portion for setting a plurality of sets each including corresponding points in the two divided images having overlap regions overlapped together, a transforming portion for performing geometric transformation of one or the other of the two divided images based on the plurality of corresponding point sets, and a joining portion for joining the two divided images based on the plurality of corresponding point sets after the geometric transformation, wherein higher importance is placed on a specific portion of the overlapping regions compared with the other in the geometric transformation. Col. 1, line 60 – col. 2, line 8.

Pictorial images are scanned and digitized according to the scanning arts described within Horie. Then, Horie joins pictures by analyzing and correlating pixel values or partial images. See e.g., col. 5, lines 59-65. It is only able to perform this analysis because it detects corresponding points in two images that essentially act as a matching location in each image so that a larger image can be produced. See e.g., col. 6, lines 14-52 and Figs. 4 & 5:
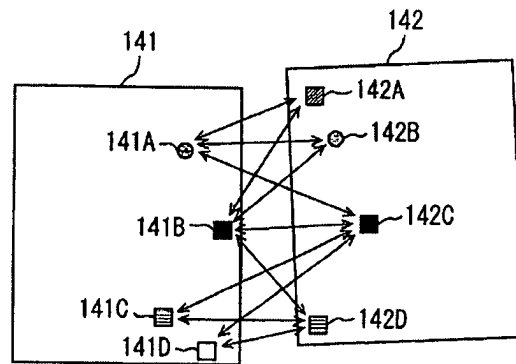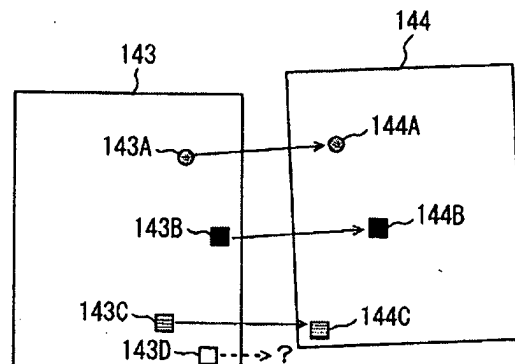
F I G. 4

F I G. 5

It is important to note that Horie analyzes pictures, not documents. Horie does not possess any capability to analyze, for example, markup language encoded in a web page document. Horie is simply not applicable to the present invention as claimed or Bhagwat. Thus, the Examiner's statement that "*Horie* teaches horizontally and vertically adjoining text references when combining images" is simply false.

As stated in Applicant's previous responses, the Examiner is incorrectly interpreting the claim elements as evident by the language used in the instant Office Action. The Examiner states:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Bhagwat et al* with *Horie* for the purpose of transcoding and **conceptually linking directly-adjoining images** from a webpage **so as to generate a transcoded composite image with adjoining references**; because this allows for the transcoding of an entire image segments in order to properly render the composite image on the limited-display device while also permitting the organization and aggregation of web images by enabling conceptual linking of image references for synthesizing and transcoding images. Office Action, page 4 (emphasis added).

However, the claims state "textual references directly adjoining each other" not "conceptually linking directly-adjoining images." The Examiner's interpretation is unsupported in the instant specification and Horie. For instance, in HTML coding, an image or formatting object is described by the use of various tags, for example, <img> or <table>. For example, Figs. 9 & 10 of the instant specification, reproduced below, reveal such coding.

figure 9

900

```
function nb_ImgOver(ImgName, descrip0 {
    if (document.images) {
        document[ImgName].src = eval(ImgName + "_o.src");
        self.status = descrip;
    }
}
if (document.images) {
    nb_img_FAQ_n = new Image0;                                         942
    nb_img_FAQ_n.src = "images/page-navbar-fq-o.jpg";                  943
    nb_img_FAQ_o = new Image0;
    nb_img_FAQ_o.src = "images/page-navbar-fq-s.jpg";                  944
    nb_img_about_n = new Image0;
    nb_img_about_n.src = "images/page-navbar-ab-n.jpg";               945
    nb_img_about_o = new Image0;
    nb_img_about_o.src = "images/page-navbar-ab-s.jpg";               946
    nb_img_news_n = new Image0;
    nb_img_news_n.src = "images/page-navbar-ne-o.jpg";               947
    nb_img_news_o = new Image0;
    nb_img_news_o.src = "images/page-navbar-ne-s.jpg";               948
    nb_img_docs_n = new Image0;
    nb_img_docs_n.src = "images/page-navbar-do-n.jpg";               949
    nb_img_docs_o = new Image0;
    nb_img_docs_o.src = "images/page-navbar-do-s.jpg";               950
    nb_img_source_n = new Image0;
    nb_img_source_n.src = "images/page-navbar-so-o.jpg";             951
    nb_img_source_o = new Image0;
    nb_img_source_o.src = "images/page-navbar-so-s.jpg";             952
    nb_img_contrib_n = new Image0;
    nb_img_contrib_n.src = "images/page-navbar-co-o.jpg";            953
    nb_img_contrib_o = new Image0;
    nb_img_contrib_o.src = "images/page-navbar-co-s.jpg";            954
    nb_img_support_n = new Image0;
    nb_img_support_n.src = "images/page-navbar-su-o.jpg";            955
    nb_img_support_o = new Image0;
    nb_img_support_o.src = "images/page-navbar-su-s.jpg";            956
    nb_img_related_n = new Image0;
    nb_img_related_n.src = "images/page-navbar-re-o.jpg";
    nb_img_related_o = new Image0;
    nb_img_related_o.src = "images/page-navbar-re-s.jpg";            957
```

940

FIG. 10

As seen in Fig. 10, the images described are navigation images, which in some cases visually <u>do not directly adjoin each other</u> when displayed as a typical web page. However, the <u>textual references</u> to these navigation images are directly adjoining each other in the <u>document describing the web page</u>. The present invention as claimed searches for these sequences of textual references and processes them according to the claims. What the images visually look like is unknown and irrelevant to the process because the HTML coding already defines location and content. What is relevant is that the <u>HTML tags (i.e., the textual references) are in a sequence (i.e., directly adjoining each other)</u> and processed as claimed. In some instances, the images referred to may not even be displayed at the same time (e.g., in the case of a

"mouseover" in which one image is replaced or supplemented by another when the user places the mouse pointer over the original image). In this example, the images do not directly adjoin each (they replace each other), but the textual references in the web page document describing the web page do adjoin each other. Thus, the teachings of Horie and the instant specification are quite disparate.

Moreover, the end result of the claims is not "a transcoded composite image with adjoining references," but "a composite image" to be scaled and displayed as claimed so that a particular device does not need to waste precious resources transcoding and transmitting each image individually.

As such, Horie (like its predecessor, Katayama, cited in the previous Office Action) discloses none of the above elements. Combining Horie with Bhagwat makes either Horie or Bhagwat inoperable, or at best, adds nothing to Bhagwat. Accordingly, the Applicant respectfully requests this rejection be withdrawn.

Claims 11, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bhagwat in view of Horie and further in view of to Hawkins (U.S. Patent Application Publication No. 2001/0032254). Applicant respectfully traverses this rejection. As discussed above, Horie does not cure the deficiencies of Bhagwat. As such, the combination of Hawkins does not cure the remaining deficiencies. Accordingly, the Applicant respectfully requests this rejection be withdrawn.

Claims 7, 12, 16, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bhagwat in view of Horie and further in view of Robotham et al (U.S. Patent No. 6,704,024). Applicant respectfully traverses this rejection. As discussed above, Horie does not cure the deficiencies of Bhagwat. As such, the combination of Robotham does not cure the remaining deficiencies. Accordingly, the Applicant respectfully requests this rejection be withdrawn.

Conclusion

      Applicant submits the claims are in condition for allowance and respectfully request that the Examiner reconsider the outstanding rejections. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: April 6, 2009

By: /Shawn Diedtrich/
      Shawn Diedtrich
      Registration No. 58,176
      Phone: 480.704.4615

Correspondence Address
Cust. No. 49637
Berry & Associates, P.C.
9255 Sunset Boulevard, Suite 810
Los Angeles, CA 90069
Phone: (310) 247-2860
Fax: (310) 247-2864